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UNITED NATIONS CONCILIATION
COMMISSION FOR PALESTINE

SUMMARY RECORD OF THE HUNDRED AND EIGHTY-EIGHTH MEETING

Held in New York on 21 October 1950 at 11 a.m.

Present:

Mr. Tévfik Kustu Aras	(Turkey)	Chairman
Mr. Claude de Boisanger	(France)	
*Mr. James Barco	(United States)	
Mr. Pablo de Azcarate	of America	Principal Secretary

* Alternate

Consideration of the Commission's Supplementary Report to the Secretary-General
(Sixth draft)

Mr. BARCO (United States of America) regretted that, although the Commission had given very thorough consideration to its Supplementary Report and had produced what he considered to be an extremely helpful draft, he was not at the moment in a position to indicate his delegation's approval of the draft as it stood. He recalled that, in any event, the Commission had decided to await the arrival of Mr. Palmer before finally approving the text of the report. In the meantime, he had received instructions to propose certain textual changes in the draft and asked the Chairman's permission to put these before the Commission for its consideration.

The CHAIRMAN proposed working through the sixth draft paragraph by paragraph.

1st paragraph:

Mr. BARCO (United States of America) proposed replacing in the third sentence, the phrase "...has succeeded in restoring a measure of stability..." by the phrase "...has succeeded in restoring a considerable degree of stability..."

This was agreed.

2nd paragraph:

Mr. BARCO (United States of America) suggested replacing, in the second sentence, the phrase "...the characteristics of a peace based on the first delimitation of frontiers accompanied by..." by the phrase "...the characteristics of a peace based on a settlement of outstanding problems accompanied by..."

This was agreed.

/3rd paragraph:

3rd paragraph:

(Third sentence)

Mr. de BOISANGER (France) suggested deleting the word "psychological" at the beginning of the third sentence.

This was agreed.

Mr. BARCO (United States of America) stated that his delegation felt that if the anxiety of Israel concerning its security were to be mentioned, then the anxiety of the Arab countries should also be indicated. It might be difficult to find a suitable phrase to replace the one in the draft, but he felt they should try to indicate that both parties had felt anxiety for their security and that this fact had had a deleterious effect on the situation.

It was agreed that the third sentence should be amended to read as follows: "These reactions, coupled with the anxiety felt both by Israel and by the Arab States with regard to their security, have been..."

4th paragraph:

(Second sentence)

Mr. BARCO (United States of America) suggested replacing the word "forces" in the second sentence by the word "leads".

This was agreed.

5th paragraph:

(First sentence)

Mr. BARCO (United States of America) proposed that the phrase "...replace this system by another more stable one." should be replaced by "...replace this system by one of a permanent character."

He explained that the background to his suggestion was that his delegation felt that the Commission should not indicate that it thought there was any possibility of the Armistice Agreements breaking down -- this in view of the tripartite agreement guaranteeing the Armistice lines. It could be indicated that the Armistice Agreements were not going to be permanent, without suggesting that they were not stable.

The Commission agreed to this change.

/(Third sentence)

(Third sentence)

Mr. BAROO (United States of America) proposed replacing the phrase "... to counteract the disruption caused by its own establishment..." by "... to counteract the economic and social dislocations caused by its own establishment ..."

Mr. de BOISANGER (France) felt that the use of the words "economic and social" in that connexion would not be welcomed by the Arab States.

Mr. BARCO (United States of America) appreciated Mr. de Boulanger's viewpoint regarding the reference to "economic and social dislocations". He therefore withdrew his suggestion to add "economic and social" and merely proposed substituting the word "dislocations" for the word "disruption".

This was agreed.

8th paragraph:

Mr. BARCO (United States of America) proposed deleting the last sentence, reading: "Such a return of population, in Israel's view, would result in large-scale displacements in Israel and would create for that country a great and immediate economic problem, a security problem and a grave long-term minority question". His reason for that suggestion was that the sentence might be interpreted as an attempt on the part of the Commission to apologise for the Israeli position.

Mr. de BOISANGER (France) asked whether it was intended to leave as it was the previous sentence, reading: "Israel, on the other hand, has repeatedly affirmed that it cannot agree to the mass return of the refugees to their homes which the Arab States require as a prior condition to the discussion of other questions at issue", without indicating the reasons for the Israeli position.

Mr. BARCO (United States of America) said it was, because if the Israeli position were explained in detail, then it would be necessary to explain the Arab position.

Mr. de BOISANGER (France) thought it might be possible to replace the sentence in question by something more general, perhaps stating that "for various reasons" Israel could not agree to the mass return.

/ The CHAIRMAN

The CHAIRMAN agreed with Mr. Barco that it would be preferable to delete the whole sentence.

The Commission agreed to delete the last sentence in the 8th paragraph.

9th paragraph:

(First sentence)

Mr. BARCO (United States of America) proposed inserting the following phrase: "... to their homes and live at peace with their neighbours should be ..."

This was agreed.

(Fourth sentence)

Mr. BARCO (United States of America) proposed deleting the following clause from the fourth sentence: "... and should have their attention drawn to this provision of the resolution".

Mr. de BOISANGER (France) stated that in his opinion that clause was absolutely essential, as it was very necessary that the refugees be told that they would receive compensation.

The CHAIRMAN pointed out that if the clause under discussion were deleted the whole sentence would be pointless and might as well be taken out.

The Commission decided that the fourth sentence should be amended to read as follows: "As has been indicated in its previous report, the Commission believes that the refugees who decide not to return to their homes should receive, and be made aware of the fact that they will receive, just compensation for the loss of their property, as provided for by the General Assembly's resolution of 11 December 1948."

(Second sentence)

Mr. BARCO (United States of America) proposed that the second sentence be amended to read as follows: "But the Commission believes that, having the interests of the refugees themselves in mind, attention/^{should}also be devoted in the future to the/^{resettlement} of at least a part of the refugees in the Arab countries, i.e. those who do not wish to return, to their economic rehabilitation and to the payment of compensation as also recommended by the resolution of

11 December 1948." in place of: "But the Commission also believes that, having the interests of the refugees themselves in mind, attention should be devoted in the future to the resettlement of refugees in the Arab countries and to the payment of compensation."

Mr. de BOISANGER (France) felt that the word "also" should remain where it was in the sixth draft and not be moved as suggested by Mr. Barco. He did not agree with the suggestion to change its position in the sentence because he thought the force of the first sentence would be destroyed if this were done, and that the Arabs would be less likely to regard it as acceptable. The word "also" therefore, in his opinion, be maintained where it was in the draft under consideration.

It was pointed out that, as in the French translation the word "also" was rendered by "en meme temps", the present difficulty would be overcome if the sentence read as follows: "... Commission believes at the same time that, having the interests of the refugees themselves in mind, attention should also be devoted..." This suggestion was adopted by the Commission.

The CHAIRMAN was a little concerned about the sequence of the first two sentences of this paragraph. In the first sentence the Commission stated that it had always been guided by the resolution of 11 December 1948, whereas the second sentence began with the word "But", which might give the impression that the Commission was turning its back on the recommendation of the Assembly. He hoped the draft could be changed in some way which would avoid giving the impression that on this item of major importance the Commission was not being guided by the Assembly's recommendation.

The Commission decided to delete the word "But ..." at the beginning of the second sentence.

Mr. de BOISANGER (France) referring to Mr. Barco's suggestion to add "at least a part of the refugees" in the second sentence, felt that it would be much more acceptable to leave the phrase as it was in the sixth draft which was before them. Further on in the text it was stated that "a number of refugees" compatible with their own best interests should return to Israel. As such a vague term was being used in that instance he felt it would be much better to keep the present sentence vague too.

/Mr. de Boisanger

Mr. de Boisanger also thought that the term "refugees who do not wish to return to their homes" was much too precise to use here. He could not see what interest the Commission had in being too precise. It was more likely that they would obtain the agreement of the Arab and Israel delegations if the language was not too precise.

Mr. BARCO (United States of America) explained that the thought behind his suggestion was that they did not want to give the impression of wishing to substitute resettlement for repatriation, but merely of thinking of resettlement in terms of a practical number of refugees, i.e. those who did not wish to return, within the terms of the resolution of 11 December 1948. In his opinion, his suggestion to add "at least a part of the refugees" linked up with the rest of the paragraph. He felt that the preference expressed by the other members of the Commission for retaining the clause stating that the attention of the refugees should be drawn to the fact that non-returning refugees would be paid compensation strengthened the argument for making the suggested change in the second sentence.

The CHAIRMAN repeated his opinion that in whatever way the question was resolved, the Commission must in no way give the impression that it was moving away from the resolution of the General Assembly of 11 December 1948.

Mr. de BOISANGER (France) suggested using the text of the resolution as far as possible in the first sentence.

He still felt that it would be preferable to leave the text more or less vague. He pointed out the possibility that many refugees who wished to return to their homes might not in fact be able to do so. There was also the possibility that some refugees who did not return to their homes would receive no compensation.

The CHAIRMAN said that in the problem of resettlement the time element was a prime factor. It must be remembered that, even if ample funds were available for resettlement, the process would take many years and would have to take place gradually. Once the first refugees were resettled, he thought ^{they} would act as a pole of attraction for other refugees, who would then also wish

to be resettled, when they had had a chance to see the benefits of resettlement. The idea of the Assembly in setting up the UNRWA had been to bring benefits to the refugees by improving the economic situation of the Middle East region. The Commission would thus be following the same ideas as the Assembly in 1948 and 1949.

Mr. BARCO (United States of America) shared the Chairman's view as to the practical advantages to be drawn from gradual resettlement and the encouragement which it would give to other refugees. He thought, however, that the original idea in this paragraph had been to give somewhat more emphasis to the interests of the refugees themselves and to the necessity for more positive thinking about the question of resettlement. He had felt that his suggestion to add "at least a part of the refugees" had not lost sight of that thought. He felt it was very important to retain the two ideas of the interests of the refugees themselves and the need to emphasize that greater attention should be paid to the question of resettlement. He did not feel that his suggestions had changed that aspect of the question.

The PRINCIPAL SECRETARY suggested that the replacement of the phrase "at least a part of the refugees ... i.e. those who do not wish to return," in Mr. Barco's suggested text by the expression "non-returning refugees" might appear to meet the desires of the Commission.

The Commission agreed with this suggestion, and adopted the following text for the second sentence: "At the same time, the Commission believes that, having the interests of the refugees themselves in mind, attention should also be devoted in the future to the resettlement in the Arab countries of non-returning refugees, to their economic rehabilitation and to the payment of compensation, as also recommended by the above resolution."

10th paragraph:

Mr. BARCO (United States of America) suggested rearranging the paragraph in such a way that the need for the undertaking of direct negotiations on the points recommended by the Commission should be stated first.

This was agreed.

/Mr. de BOISANGER

Mr. de BOISANGER (France) raised the question of mentioning in the paragraph under discussion the granting of citizenship rights to the Arab refugees. That point had been included in earlier drafts but had been deleted from the sixth draft now before the Commission. It had been said in the first draft that the Arab refugees to be resettled in Arab States should enjoy equal rights of citizenship. That was a very important point, because he felt that the refugees would not agree to their resettlement in the Arab countries if they were not told perfectly clearly that they would be considered as citizens on a footing of equality. He did not think that the Arab States would object to such a sentence, because it was obvious that if they agreed to accept refugees for a resettlement they could not refuse to treat them as equals. He felt that the idea of equality of citizenship should be reinstated in the draft.

The CHAIRMAN agreed with Mr. de Boisanger's view. He also thought it would be useful for the Commission thus to indicate its concern for the interests of the refugees.

Mr. BARCO (United States of America) said that Mr. de Boisanger's statement of the case was quite right. If the Arab States agreed to resettle the refugees in their countries, obviously they would be willing to take the next step and make them citizens. Mr. Barco said the change had originally been made on his suggestion, but in view of the feeling in the Commission he would agree to reinstate the idea in the present draft.

He wondered whether the clause beginning "the adoption of measures..." could not be left more or less as it was, with the inclusion of the idea of equal rights. He suggested something like: "the adoption of measures for the reintegration of non-returning refugees by the Arab States with rights equal to those of citizenship..."

The CHAIRMAN suggested a phrase such as "assure all rights to non-returning refugees..."

Mr. de BOISANGER

Mr. de BOISANGER (France) suggested that it might be better not to go into too much detail in the text of the report itself, but that when the Chairman of the Commission explained the report to the Assembly he could then bring up such details in his declaration.

The Commission agreed on the following text for the clause under discussion: "the adoption of measures by the Arab States for assuring the full reintegration of non-returning refugees;"

Mr. de BOISANGER (France) had a second proposal to make concerning the 10th paragraph; that the second clause should read as follows: "the immediate payment of compensation for the property of non-returning refugees;"

This was agreed.

11th paragraph:

Mr. BARCO (United States of America) proposed that, in view of the feeling to which he had previously referred that the Commission should not suggest that the tripartite declaration would not be effective in assuring that the armistices would last, the phrase "In view of the deterioration of local conditions in Palestine ..." at the beginning of the paragraph should be deleted.

This was agreed.

Mr. BARCO (United States of America) further proposed that the second sentence should be amended to read: "The Commission believes that the General Assembly should urge the parties to engage without delay in bilateral discussions preferably directly or under the auspices of the United Nations, in order to arrive at a solution of the problems outstanding".

The CHAIRMAN did not like the use of the word "bilateral", which he was afraid might be taken as a reflection on the Arab League.

Mr. de BOISANGER (France) suggested not introducing the word "bilateral" in the text of the report, but rather leaving the Chairman, in the speech which he would make to the Assembly when introducing the Commission's report, to say that the negotiations suggested should be "bilateral or multilateral".

/Mr. BARCO

Mr. BARCO (United States of America) asked whether he could take it that the other members of the Commission felt strongly on this subject.

The CHAIRMAN stated that they did not insist on saying that the negotiations should be under the auspices of the Commission.

Mr. de BOISANGER (France) felt that the Arabs would object if the Commission stated in its report that the negotiations should be bilateral. In fact, the Commission should press the Arabs to enter bilateral discussions, but he did not think that could be said in the Report. The Commission knew well what were the views of the Government of Israel on this subject, and it might be said that it was following Israel's ideas.

The CHAIRMAN proposed leaving the text of the report as it was in the present draft. He could then state in his speech to the Assembly that the Commission felt that the negotiations should preferably be bilateral or multilateral.

Mr. de BOISANGER (France) pointed out that the Commission must take into consideration the fact that it wanted the report to be accepted by the parties. The report would be published before the Assembly debate began, and an attempt should be made to have a good first reaction. Afterwards such points as the one under discussion could be stressed. He was in agreement with the idea behind the United States suggestion, but he did not think it was opportune to put it in the report.

Mr. BARCO (United States of America) wished to say one thing about the view of the Commission concerning bilateral discussions; that difficulties would undoubtedly arise on that point when the time came to discuss with the parties the conduct of negotiations on the practical side. If the Conciliation Commission could at the present time bring to the attention of all concerned that the matter was of considerable importance, and begin to lead the thinking in that direction, it might in the end make it easier for the parties to accept direct, bilateral talks. He believed that his argument was valid, but he also understood the views of his colleagues regarding the difficulties involved.

Mr. de BOISANGER

Mr. de BOISANGER (France) pointed out that when the question of a resolution came up in the Ad Hoc Committee, it was certain that, even if no other delegation did so, Israel would introduce the term "bilateral" negotiations. He suggested that at that time the members of the Commission would have the opportunity of introducing the idea into the resolution through their delegations, if it was so desired. He did not think the Commission itself should introduce the term in its report.

The CHAIRMAN said that it depended entirely on the desires of the countries concerned. The Commission could not say that the discussions must be bilateral or multilateral. The Commission wished to see the problem settled without in any way wanting to control the way in which it was settled. The Commission was there to facilitate a settlement and to press the parties to negotiate, and from the viewpoint of the United Nations it was there to insist on the idea that a settlement must be found; but in no way must the Commission be an obstacle to the settlement of the problem.

Mr. BARCO (United States of America) said he gathered that the suggestion of the other two members was that the Chairman, in his address to the Assembly, would say that the Commission felt that consideration should be given to the necessity for bilateral talks. He was not sure - in reference to what Mr. de Boisanger had said - that raising the point at a later stage (particularly if it were the Israel delegation which brought it up first) would facilitate its consideration. He felt it might be better for the Commission itself to raise the point first, rather than have Israel do so.

Mr. de BOISANGER (France) thought that bilateral negotiations were necessary, but he did not feel that the Commission itself should bring the matter up in its report. In any case the question would be raised in the Assembly Committee, and it seemed to him that it would be better to wait until that time. The Chairman himself would mention it when introducing the Commission's report. He believed that afterwards there would be a vote on

/the matter

the matter. It might be that Israel would mention it, and it might also be that it would be preferable for another delegation to mention it first. But, in view of the fact that what the Commission was trying to do was to get the Arab States to agree to the idea - which would be difficult - he did not feel that the Commission should take it up in its report. Israel agreed to the principle now, but if it were desired to persuade the Arabs also to agree to that procedure, he felt it would be a mistake for the Commission, in its report, and at the present time, to raise the matter before the whole question came up in the Committee.

The CHAIRMAN agreed that the question should not be introduced in the report. However, he felt that in the Committee the Commission should be the first to mention the question of bilateral or multilateral discussions, because if Israel were the first to bring it up then the Arab States would not agree.

It was decided that the second sentence of the last paragraph, now beginning: "The Commission believes that ..." should be left as in the sixth draft.

Mr. de BOISANGER (France) suggested deleting the word "general" in the next to last sentence.

This was agreed.

Draft covering letter from the Chairman to the Secretary-General, transmitting the Supplementary Report.

Mr. BARCO (United States of America) proposed that the covering letter should not refer to the Report of UNRWA. He realized that the point had already been considered by the Commission and that there was some difference of opinion on the subject. It was, however, felt in his delegation that by referring to the Report of UNRWA in the covering letter the Commission would give the impression that it had reached the same conclusions and recommendations as UNRWA through "collusion", which would perhaps not be the case if the

/covering letter

covering letter made no reference to the UNRWA Report. He wished to put his opinion forward for the Commission's consideration.

Mr. de BOISANGER (France) held a different view. He thought that the effect would be good if the Commission indicated in the covering letter that it had read the Report of UNRWA and was happy to note that the conclusions reached therein were the same as those of the Commission. He thought that it would also be useful to do so because the questions dealt with in the two reports were closely linked. He repeated that he did not see how the two reports could be discussed separately; and that if there were not a single resolution on the two reports the result would be impossible of application. However, he did not feel that the point was an important one, and if the United States delegation did not agree he was willing to concede it.

The CHAIRMAN recalled that he himself had proposed not to mention the UNRWA Report in the covering letter. However, speaking as the representative of Turkey, he wished to say that he fully agreed with Mr. de Boisanger concerning the question of a single resolution to cover both reports and felt that many other delegations would take the same view.

It was agreed that a decision as to whether or not the Chairman's covering letter should refer to the UNRWA Report would be taken the following day after consultation with Mr. Palmer.

, The meeting rose at 1.30 p.m.